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REPORT

OF

J. P. SIDDALL,

DRAFT COMMISSIONER.





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REPO^RT

OF

J. P. SIDDALL,

DRAFT COMMISSIONER.

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REPORT

OF THE

DRAFT COMMISSIONER.

GENERAL COMMISSIONER'S OFFICE,
Indianapolis, December 26, 1862.

OLIVER P. MORTON,

Governor of Indiana:

I submit the following report as Draft Commissioner of this State:

On the 9th of August the following dispatch was received from the Secretary of War: "Your quota of the 300,000 militia is 21,250." And on the 10th, the following: "Your quota of the first call for volunteers would be the same." Thus the number required of Indiana, under the two calls, was 42,500. By the 20th of September, both of these calls had been filled by volunteers, except 6,060, for which number it became necessary to draft. In assigning the quota of each township, credit was allowed for all volunteers previously furnished. Under this arrangement 635 townships had furnished the number required of them, leaving the deficiency to be supplied by the remaining 334 townships. All the townships in the following counties had supplied their entire quota: Brown, Clay, Crawford, Daviess, Jennings, Lawrence, Newton, Parke, Perry, Scott, Spencer, Switzerland, Vermillion, Warren, and White.

The draft assignment extended to seventy-seven counties, but the deficiency in eighteen of them was supplied before the draft was made. The quota of each township was assigned on the 20th

of September, and the privilege of supplying the deficit in each township extended up to the day of draft. Many townships availed themselves of this privilege, and the deficiency of 6,060 was reduced before the draft, by volunteers, to 3,003, which was the number drafted. The draft took place on the 6th of October, but, in order to allow the persons drafted the opportunity to vote at the fall election, they were not required to report themselves at their respective county seats until the day after the election. At the time fixed, the drafted men, with few exceptions, were on hand. Conceding the fact that a draft is obnoxious to the people of Indiana, this prompt submission is conclusive evidence of the strong and well fixed regard for law of the people of Indiana. The draft was attended with no disturbance, except in the county of Blackford, where a few lawless persons, by violence, prevented it taking place; but such measures were adopted that it took place in that county, without any attempt at interruption, on the third day afterward.

The enrollment of the militia was the first ever made in the State. It gives us the actual military strength, not only of the State, but of every county and township. It also shows the number of volunteers furnished by each township. The enrollment furnishes the following general results:

Total militia enrolled.....	209,216
Total volunteers.....	100,277
Total exempts from physical causes.....	32,869
Total exempts from conscientious opposition to bearing arms.....	3,169
Total volunteers in service.....	93,041
Total subject to draft.....	173,178

The total militia does not include volunteers in service, and to get the actual total of militia belonging to the State, we add the two together, making 302,257, and if we deduct from this the two classes of exempts, 36,038, we have 266,219 as the actual number belonging to the State, subject to military duty. Of this number 93,041 are already in the service, leaving 173,178 liable to draft.

I have prepared a table showing the result of the enrollment in each county, which is filed herewith and made a part of this report, and which, as a statistical table, I regard as valuable and interesting to every citizen of the State. The reports of the Enrolling

Commissioners for each county I have caused to be properly arranged and bound, and they constitute a permanent and valuable addition to the statistics of our State.

It is proper that I should make a statement in regard to the conscientious exempts.

Section 6, of article 12, of our State Constitution, provides that "No person, conscientiously opposed to bearing arms, shall be compelled to do militia duty; but such person shall pay an equivalent for exemption, the amount to be prescribed by law." Our Legislature has omitted to prescribe any amount for the equivalent, or to enact any regulations for its collection. Section 1 of the Act of Congress of July 17, 1862, authorizes the Secretary of War, where there is no State law, or where the State law is deficient, to adopt such rules and regulations, in regard to calling out the militia, as he may deem best. By virtue of this Act, the Secretary of War fixed the equivalent for exemption at \$200. Those who claimed the benefit of the constitutional provision, and established their claims before the Commissioners of their respective counties, numbered 3,169, as is shown by the reports of the Commissioners. Each Commissioner was "enjoined to look carefully into all such claims, and to see that the exemption was not extended beyond what was contemplated by the Constitution."

It having been thus established that they were "conscientiously opposed to bearing arms," they were exempt from the performance of militia duty, and were not subject to draft. But as this exemption is, by the Constitution, to be followed by the payment of an equivalent, and that equivalent having been fixed by the War Department at \$200, I directed its collection. A portion of the religious society known as Orthodox Friends, objected to its collection on two grounds: *First*, that no equivalent should be required; *Second*, that if the equivalent were required, the mode adopted was not equitable. As I was unable to see the force of the objection, they appealed from my action in the premises to yourself, and to the War Department. In explanation of the course pursued by me toward this class, I drew up a statement of the mode adopted, and the reason for its adoption, which was submitted, with the written objections of the remonstrants, to yourself, and also to the War Department. That statement I herewith file, and make a part of this report. I have since had a consultation, at Washington, with the Assistant Adjutant General, who had the immediate charge of the draft, in relation to the enforcement of

the collection of the equivalent. After a mature examination of the whole matter, he doubts the authority of the war power to enforce payment, deeming it a matter more appropriately belonging to State legislation. This conclusion of the War Department, and the absence of State legislation, make it impossible for me to act further in the premises. I had previously received, by voluntary payments, about \$21,000, on equivalents, from members of the religious society known as Dunkers.

When I accepted the office of General Commissioner, the whole subject of the draft was new to me, as it was to all who have been connected with it. To make it operate equitably, and to avoid all injustice to any one, has been my constant aim. The task has been one of much labor and difficulty, but it has been discharged to the best of my ability. The officers connected with the draft, in the different counties, have generally performed their duties faithfully and well. Where any errors were committed and reported to me, either by the Commissioner or the injured party, they were promptly rectified. If any cause of complaint exists on the part of any one, where the power to remove the cause was vested in me, I have no knowledge of the fact.

J. P. SIDDALL,
General Commissioner.

DOCUMENTS

RELATING TO

THE DRAFT.



GENERAL ORDERS.

GENERAL ORDER, }
No. 1. }

STATE OF INDIANA,
GENERAL COMMISSIONER'S OFFICE,
Indianapolis, August 21, 1862.

1. The time for the completion of the enrollment lists by the Commissioners, and of the meeting of the Board to determine exemptions from draft, is hereby extended to the 1st day of September next.
2. The time for making the draft is postponed to the 15th of September, at which time it will be made as heretofore ordered.
3. Notices of the meeting of the Board must be given by the Commissioners in the manner previously ordered.
4. The Constitution of our State provides that "no person conscientiously opposed to bearing arms shall be compelled to do militia duty; but such person shall pay an equivalent for exemption." In pursuance of this provision, all members in good standing, of any religious denomination, who make opposition to bearing arms an article of faith, are exempt from militia duty, upon the payment of such sum as shall be hereafter fixed.

By order of O. P. MORTON,
Governor.

J. P. SIDDALL,
General Commissioner.

J. J. HAYDEN,
Secretary.

GENERAL ORDER, }
No. 3. }

STATE OF INDIANA,
GENERAL COMMISSIONER'S OFFICE,
Indianapolis, August 23, 1862.

As the Constitution provides that "no person conscientiously opposed to bearing arms shall be compelled to do militia duty," and further provides that "such person shall pay an equivalent for exemption," the following regulations are adopted to carry out said provisions:

1. The Board to determine exemption shall treat such persons as exempt, and shall enter upon the enrollment list the cause of exemption.

2. In determining who are embraced within the provision referred to, the fact that a person is a member, in *good standing*, of any religious denomination who make opposition to bearing arms an *article of faith*, may be regarded as *prima facie* evidence of being entitled to such exemption, but this is not to be conclusive; other evidence is admissible in such cases, as well as in those where persons are not members of such denominations. The Board is enjoined to look carefully into all such claims, and see that the exemption is not extended beyond what is contemplated by the Constitution.

3. At the time fixed for making the draft, ballots containing the names of all persons exempted by the Board, under the provisions above cited, shall be placed in a separate box, and ballots shall be drawn therefrom in the manner provided in section 5, of General Orders, No. 73. The names of residents of each township shall be placed in the box and drawn from separately, as in other cases. The number or ratio to be drawn in each township will be furnished. The persons so drawn shall each pay to the Marshal a sum to be hereafter fixed, as an equivalent for such exemption, and on failure to pay said sum, the Marshal shall distrain and levy upon and sell the property and effects of such delinquent, in the manner provided for sales upon executions at law, but without regard to appraisement or exemption laws.

By order of O. P. MORTON,
Governor.

J. P. SIDDALL,
General Commissioner.

STATE OF INDIANA,
 GENERAL COMMISSIONER'S OFFICE,
 Indianapolis, August 26, 1862.

To secure throughout the State some uniformity in the inspection of drafted men, who apply for certificates of exemption, it will be understood that while much is left, necessarily, to the good judgment of the Examining Surgeon, slight defects, which might be sufficient for the rejection of recruits for a long period of time, shall not exempt from draft. Able-bodied, effective men, such as would honestly be accepted as volunteers, after a careful inspection, shall not be exempt on account of immaterial defects.

As hints of what shall *not* exempt, the following are given:

1. Loss or imperfect vision of left eye.
2. Partial loss of front teeth.
3. Slight or infrequent attacks of hemorrhoids.
4. Slight deformities of limbs, with unimpaired motion.
5. Loss of last joint of one or two fingers of left hand, or of one finger of the right hand, other than the forefinger.
6. Slight varicose veins, below the knee, or slight varicocele.

The following are causes for exemption:

1. Loss or imperfect vision of right eye.
2. Loss of all the front teeth, and enough of the molars to render mastication imperfect.
3. Large or frequent attacks of hemorrhoids, or chronic diarrhea.
4. Deformities which impair free motion of limbs.
5. Loss of more than one finger of right, or more than two fingers of left hand.
6. Large varicose veins above the knee.
6. Large or irreducible hernia. Cases of reducible hernia are left to the sound discretion of the Surgeon, under the general principles herein stated.
8. All organic or functional diseases causing marked debility—heart diseases, epilepsy, or organic disease of lungs—will be causes of exemption.

It is believed that general principles of the above character should be the guides for Examining Surgeons, the aim being to secure effective men, and, at the same time, not to excuse those fitted for the service, on trivial or insufficient grounds.

By order of the GOVERNOR.

J. P. SIDDALL,
General Commissioner.

GENERAL ORDER, }
No. 4. }

STATE OF INDIANA,
GENERAL COMMISSIONER'S OFFICE,
Indianapolis, August 28, 1862.

1. Every white male, of foreign birth, of the age of twenty-one years and up to forty-five years, who shall have resided in the United States one year, and shall have resided in this State six months immediately previous to enrollment, and shall have declared his intention to become a citizen of the United States, conformably to the laws of the United States on the subject of naturalization, should be enrolled by the Commissioners.

2. All persons of foreign birth, between the ages of eighteen and forty-five years, who have exercised the right of suffrage in this State, should be enrolled.

By order of O. P. MORTON,
Governor.

J. P. SIDDALL,
General Commissioner.

GENERAL ORDER, }
No. 6. }

STATE OF INDIANA,
GENERAL COMMISSIONER'S OFFICE,
Indianapolis, September 17, 1862.

The time for drafting was fixed, in a previous order, for the 15th instant. At the time that order was issued, it was not doubted that all necessary arrangements for the draft would be completed before the time mentioned. It is now ascertained that the time required for the Enrolling Commissioners of the several counties to perform their labors, was under-estimated. The townships in the State number over one thousand, and the quota of each is to be assigned here, but nothing could be done toward making the necessary computations until returns from the Commissioners were all received. The returns are now all in, and the quotas of the several townships in each county will be forwarded to the Enrolling Commissioners of the several counties before the close of the present week, if possible. Each township will thus be enabled to ascertain its deficiency, and if that is supplied by volunteers before the day fixed

for the draft, then no draft will be made in that township; and if the deficiency is only partly supplied by volunteers, then the draft will only be made for the residue. The name, residence, and number of the regiment of each volunteer, should be promptly reported to the Enrolling Commissioner for his county, who is directed to keep a list of such volunteers, embracing all those who have enlisted from each township in his county, since his report to this office, and up to the day fixed for the draft.

According to data furnished by the General Government, the number to be yet supplied by Indiana, to relieve her from a draft, is about six thousand.

This number, when distributed among the townships of the ninety-two counties in the State, may be readily raised by volunteers, and the draft wholly avoided. Indiana has in the field and in camp over ninety thousand volunteers, and after having thus liberally and promptly responded to the calls made upon her by the General Government, it is confidently believed that no resort to a draft will be necessary to raise the small number yet required to fill the complement.

Let each township immediately devote a few days earnestly to the work of raising volunteers, and the desired result will be attained. To facilitate such efforts, volunteers will be received for twelve months, instead of three years as heretofore. The draft will take place on the 6th of October next, in every township in which any deficiency exists at that time.

Commissioners are enjoined to give prompt notice of this order, and also of the quota, when furnished, in each township in their respective counties. The lists of volunteers required to be kept by the Commissioners under this order, will be forwarded to this office when completed, so that the original enrollment lists returned here may be corrected, and thus be ready for use in case of any future call by the Government.

In addition to the six thousand volunteers required to avoid a draft, six thousand more volunteers, for twelve months, will be accepted from the State at large.

Passes to leave the State are no longer required, and none will hereafter be issued.

By order of the GOVERNOR.

J. P. SIDDALL,
General Commissioner.

THE MILITIA OF INDIANA.

GENERAL COMMISSIONER'S OFFICE,
Indianapolis, September 19, 1862.

The following table is based on the returns of the Enrolling Commissioners for this State. It is confined to counties, the townships numbering over one thousand, being too numerous for general publication. The first column shows the total militia enrolled—by deducting from it the third and fourth columns, we have the sixth column, which shows the number subject to draft. The second column contains the whole number of volunteers from the State, whether in or out of the service; by deducting from this column those who have withdrawn from the army we have the fifth column, which shows the number of those now in the service, and also those who have died in the service.

J. P. SIDDALL,
General Commissioner.

TABULAR Statement of the Indiana Militia.

Number.	COUNTIES.	Total Militia.	Total Volunteers.	Total Exempts.	Total Conscientiously Opposed to Bearing Arms.	Total Volunteers in Service.	Total Subject to Draft.
1	Adams.....	1105	507	290	87	496	728
2	Allen.....	5361	1464	551	37	1361	4773
3	Bartholomew.....	2753	1592	301	34	1594	2418
4	Benton.....	315	262	47	.....	249	468
5	Blackford.....	675	170	78	.....	156	597
6	Boone.....	2711	1134	297	60	1171	2354
7	Brown.....	858	502	163	2	486	693
8	Carroll.....	2378	977	427	80	903	1871
9	Cass.....	2798	1328	305	10	1257	2413
10	Clark.....	2782	1688	485	.....	1612	2297
11	Clay.....	1665	1099	358	.....	1053	1307
12	Clinton.....	2240	1031	318	52	962	1870
13	Crawford.....	1119	863	232	.....	823	887
14	Daviess.....	1830	1237	227	.....	1123	1603
15	Dearborn.....	3252	1753	345	.....	1528	2907
16	Decatur.....	2884	1353	432	1	888	2451
17	Dekalb.....	2347	758	240	.....	731	2105
18	Delaware.....	2324	1126	308	19	982	2197
19	Dubois.....	1491	718	102	.....	690	1257
20	Elkhart.....	3483	1461	482	235	1347	2766
21	Fayette.....	1681	633	186	.....	560	1485
22	Floyd.....	3329	1120	440	5	1067	2884
23	Fountain.....	2514	1024	254	1	1002	2259
24	Franklin.....	2705	1054	412	.....	977	2293
25	Fulton.....	1481	670	324	2	660	1155
26	Gibson.....	1932	1430	366	.....	1350	1566
27	Grant.....	2409	938	212	119	786	2078
28	Greene.....	1867	1432	294	8	1381	1565
29	Hamilton.....	2769	1186	271	250	1070	2248
30	Hancock.....	1919	918	206	47	828	1666
31	Harrison.....	2584	1195	488	1	1139	2095
32	Hendricks.....	2443	1352	506	150	1271	1787
33	Henry.....	3258	1263	493	113	1088	2652
34	Howard.....	2001	890	306	211	837	1484
35	Huntington.....	2544	798	504	47	751	1993
36	Jackson.....	2330	1607	246	1	1519	2082
37	Jasper.....	556	439	73	.....	429	483
38	Jay.....	1733	649	192	6	621	1535
39	Jefferson.....	2778	2011	565	.....	1826	2275
40	Jennings.....	2007	1611	325	17	1488	1665
41	Johnson.....	2545	1010	294	.....	945	2251
42	Knox.....	2519	1322	549	.....	1329	1970
43	Kosciusko.....	3018	1268	519	85	1165	2414
44	Lagrange.....	2047	750	420	91	653	1536
45	Lake.....	1541	650	314	.....	625	1227
46	Laporte.....	3943	1663	631	15	1564	3297
47	Lawrence.....	1732	1500	358	.....	1500	1374
48	Madison.....	2904	1166	420	16	1090	2463
49	Marion.....	7785	2675	1691	73	2412	6021
50	Marshall.....	2303	715	367	65	630	1871
51	Martin.....	1008	821	113	.....	765	895
52	Miami.....	2844	1065	405	118	996	2391
53	Monroe.....	1828	1039	298	3	840	1527
54	Montgomery.....	3553	1250	620	41	1204	2892
55	Morgan.....	2224	1232	435	93	1188	1196
56	Newton.....	461	278	95	2	245	364
57	Noble.....	2573	973	468	37	926	2073
58	Ohio.....	796	387	133	1	299	662
59	Orange.....	1453	1023	313	19	992	1121
60	Owen.....	1968	1111	414	9	1084	1545
61	Parke.....	2389	1266	623	110	1218	1656
62	Perry.....	1630	1254	173	.....	1225	1457
63	Pike.....	1386	993	229	.....	891	1157
64	Porter.....	1901	909	303	1	837	1597
65	Posey.....	2441	1343	429	.....	1276	2012
66	Pulaski.....	957	494	101	.....	467	856
67	Putnam.....	2934	1336	690	.....	1236	2244

TABULAR Statement of the Indiana Militia—Continued.

Number.	COUNTIES.	Total Militia.	Total Volunteers.	Total Exempts.	Total Conscientiously Opposed to Bearing Arms.	Total Volunteers in Service.	Total Subject to Draft.
68	Randolph.....	9672	1303	266	125	1182	2281
69	Ripley.....	2583	1378	241	.....	1244	2342
70	Rush.....	2692	914	344	86	825	2262
71	Scott.....	876	650	203	.....	641	673
72	Shelby.....	3286	1238	424	2	973	2860
73	Spencer.....	9127	1337	428	.....	1337	1699
74	Starke.....	418	117	121	1	92	296
75	Stewbcn.....	1816	687	410	.....	648	1406
76	St. Joseph.....	3661	1127	348	54	965	2659
77	Sullivan.....	9267	1098	506	.....	1067	1761
78	Switzerland.....	1730	1052	304	.....	991	1426
79	Tippecanoe.....	4747	2379	659	33	2047	4055
80	Tipton.....	1263	642	259	13	603	991
81	Union.....	1188	381	169	12	246	1007
82	Vanderburgh.....	3536	1641	401	.....	1550	3135
83	Vermillion.....	1386	951	285	.....	932	1106
84	Vigo.....	3551	1943	600	.....	1815	2951
85	Wabash.....	2730	1229	230	88	1145	2412
86	Warren.....	1420	1180	231	.....	1180	1189
87	Warrick.....	2085	994	567	.....	916	1518
88	Washington.....	2552	1339	493	35	1279	1824
89	Wayne.....	4319	2041	680	266	1893	3573
90	Wells.....	1589	614	200	12	589	1377
91	White.....	1337	751	258	20	700	1059
92	Whitley.....	1828	556	186	45	513	1597
	Total.....	209,216	100,277	32,869	3,169	93,041	173,178

DRAFT ASSIGNMENT

TO THE

VARIOUS TOWNSHIPS OF THE STATE.

STATE OF INDIANA,
GENERAL COMMISSIONER'S OFFICE,
Indianapolis, September 20, 1862.

The following table shows the number to be drafted in three hundred and thirty-four townships in the State. Six hundred and thirty-five townships have furnished their full quota; these are not named in the table.

The following fifteen counties have supplied their entire quota: Brown, Clay, Crawford, Daviess, Jennings, Lawrence, Newton, Parke, Perry, Scott, Spencer, Switzerland, Vermillion, Warren, and White.

J. P. SIDDALL,
General Commissioner.

ADAMS COUNTY.		BARTHolemew COUNTY.	
Preble	13	Maumee	5
Kirkland	3	Milan	16
French	13	Lake	21
Hartford	8	Jefferson	19
Total	37	Adams	17
		Pleasant	5
		Scipio	4
		Jackson	4
		Total	597
ALLEN COUNTY.			
Wayne	368	Union	11
Washington	8	Clay	2
Springfield	2	Harrison	10
St. Joseph	23	Rock Creek	1
Perry	31	Total	24
Madison	28		
Marion	46		

BENTON COUNTY.

Prairie	8
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BLACKFORD COUNTY.

Licking	11
Washington	38
Harrison	3
Jackson	28
	—
Total	80

BOONE COUNTY.

Jefferson	25
Union	10
Eagle	18
Perry	6
Jackson	59
Worth	27
	—
Total	145

CARROLL COUNTY.

Jackson	1
Madison	4
Carrolton	7
Washington	21
Rock Creek	3
Burlington	18
Clay	11
Jefferson	8
	—
Total	73

CASS COUNTY.

Boone	13
Harrison	2
Jefferson	21
Adams	9
Washington	25
Tipton	24
Deer Creek	23
	—
Total	117

CLARK COUNTY.

Silver Creek	10
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CLINTON COUNTY.

Washington	8
Madison	26
Ross	13
Kirklin	7
Owen	17
	—

Total	71
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DEARBORN COUNTY.

Harrison	22
Logan	22
Kelso	44
Jackson	14
Cæsar Creek	6
	—

Total	108
-----------------	-----

DECATUR COUNTY.

Sand Creek	8
Marion	37
	—
Total	45

DEKALB COUNTY.

Butler	22
Jackson	15
Wilmington	6
Union	17
Richland	33
Fairfield	48
Smithfield	30
Franklin	34
Troy	13
	—

Total	218
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DELAWARE COUNTY.

Mt. Pleasant.....	8
Union.....	2
Perry	5
Delaware.....	9
	<hr/>
Total.....	24

DUBOIS COUNTY.

Patoka.....	6
Ferdinand.....	61
	<hr/>
Total.....	67

ELKHART COUNTY.

Clinton.....	12
Benton	6
Jackson	28
Harrison.....	47
Baugo.....	6
Union.....	24
Locke.....	5
	<hr/>
Total	128

FAYETTE COUNTY.

Connersville.....	6
Orange.....	1
Harrison	5
Posey.....	27
Waterloo.....	18
Fairview	13
	<hr/>
Total	70

FLOYD COUNTY.

New Albany.....	229
Lafayette.....	24
	<hr/>
Total	253

FOUNTAIN COUNTY.

Jackson	47
Mill Creek.....	5
Fulton.....	4
Cain	26
Van Buren	13
Richland	41
	<hr/>
Total	136

FRANKLIN COUNTY.

Springfield.....	14
Bath.....	15
Whitewater.....	26
Highland	58
Ray	62
Butler.....	21
	<hr/>
Total	196

FULTON COUNTY.

Aubbeenaubbee	17
Richland	8
Henry	3
	<hr/>
Total	25

GIBSON COUNTY.

Johnson	3
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GRANT COUNTY.

Van Buren	30
Washington	20
Pleasant	20
Richland	12
Monroe	5
Jefferson	16
Fairmont	17
Liberty.....	8

Total	128
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GREENE COUNTY.		HOWARD COUNTY.	
Cass	8	Centre	18
HAMILTON COUNTY.		Monroe	1
Delaware	12	Howard	5
Jackson	35		
Total	47	Total	24
HANCOCK COUNTY.		HUNTINGTON COUNTY.	
Blue River	1	Clear Creek	16
Brown	8	Warren	17
Greene	5	Huntington	52
Jackson	12	Rock Creek	16
	—	Lancaster	15
Total	26	Wayne	12
	—	Jefferson	20
	—		
	—	Total	148
HARRISON COUNTY.		JACKSON COUNTY.	
Posey	20	Washington	8
Franklin	19	Hamilton	9
Webster	1		
	—	Total	17
Total	40		
HENDRICKS COUNTY.		JAY COUNTY.	
Eel River	23	Richland	27
Union	9	Knox	13
	—	Jefferson	23
Total	32	Greene	12
	—	Bear Creek	7
	—	Noble	21
	—		
	—	Total	103
HENRY COUNTY.		VANDERBURGH COUNTY.	
Dudley	16	Scott	19
Liberty	65	Armstrong	19
Greenboro	1	German	43
Prairie	17		
Stony Creek	21	Total	81
Jefferson	7		
Blue River	33	VIGO COUNTY.	
	—	Linton	
Total	160		17

WABASH COUNTY.

Chester	12
Lagro.....	29
Pleasant	6
Total.....	47

WARRICK COUNTY.

Owen	2
Lane.....	5
Total.....	7

WAYNE COUNTY.

Abington.....	15
Boston	10
Dalton	2
Jefferson	16
Perry	5
Washington	16
Total	64

JASPER COUNTY.

Kankakee.....	1
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JEFFERSON COUNTY.

Graham	10
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JOHNSON COUNTY.

Nineveh.....	19
Blue River.....	4
Hensley	27
Clarke	3
Pleasant.....	9
Union.....	33
White River.....	61
Total	156

KOSCIUSKO COUNTY.

Jackson.....	16
Turkey Creek	25

Van Buren	9
Seward	7
Franklin	23
Harrison.....	7
Prairie	19
Jefferson.....	2
Scott	3

Total.....	111
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KNOX COUNTY.

Johnson	13
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LAGRANGE COUNTY.

Van Buren.....	22
Eden	9
Clear Spring.....	8
Milford	7
Total	46

LAKE COUNTY.

North	19
St. Johns	32
Hanover.....	40
Total	91

LAPORTE COUNTY.

Wills	3
Pleasant	10
Union	20
Clinton.....	19
Cass	11
Dewey	7
Total	7

MADISON COUNTY.

Adams	5
Jackson.....	12
Union.....	2
Richland.....	22
Lafayette.....	19
Pipe Creek.....	28

Monroe.....	38	Clear Creek.....	3
Van Buren.....	14	Indian Creek.....	2
Boone.....	27		—
Duck Creek.....	10	Total	22
	—		
Total	177		
		MONTGOMERY COUNTY.	
MARION COUNTY.			
Center.....	239	Wayne.....	25
Pike	9	Ripley.....	16
Lawrence.....	33	Scott	8
	—	Union.....	10
Total	281	Franklin.....	23
		Walnut.....	35
		Clarke	33
			—
		Total	150
MARSHALL COUNTY.			
Union.....	7	MORGAN COUNTY.	
Center.....	53	Jackson	13
Greene.....	2	Greene	7
Bourbon.....	8	Madison.....	6
German.....	37		—
North.....	22	Total	26
Polk.....	12		
West.....	10		
	—		
Total	151	NOBLE COUNTY.	
MARTIN COUNTY.			
McCameron.....	10	Washington.....	10
		Sparta.....	10
		Greene	6
		Jefferson	8
		Wayne.....	21
		Allen	11
		Albion.....	4
			—
MIAMI COUNTY.		Total	70
Jefferson.....	2	OHIO COUNTY.	
Perry.....	29	Cass	15
Union.....	13		
Richland	10		
Washington.....	11		
Clay.....	24		
Harrison	9		
	—		
Total	98	ORANGE COUNTY.	
MONROE COUNTY.			
Benton.....	1	Jackson	15
Salt Creek.....	4	Greenfield.....	5
Polk.....	12		—
		Total	20
		OWEN COUNTY.	
		Marion.....	10

PIKE COUNTY.		RUSH COUNTY.	
Lockhart.....	11	Posey.....	18
PORTER COUNTY.		Walker.....	24
Portage.....	2	Anderson.....	2
Porter.....	12	Rushville.....	3
Boone.....	2	Jackson.....	20
Pine.....	3	Centre.....	30
Total.....	19	Washington.....	19
		Union.....	34
		Total.....	150
POSEY COUNTY.		SHELBY COUNTY.	
Robinson.....	34	Jackson.....	20
PULASKI COUNTY.		Noble.....	32
Tippecanoe.....	9	Liberty.....	28
Rich Grove.....	2	Hendricks.....	22
Franklin.....	5	Union.....	19
Total.....	16	Moral.....	20
		Total.....	141
PUTNAM COUNTY.		STARKE COUNTY.	
Jackson.....	19	North Bend.....	11
Franklin.....	33	Oregon.....	5
Floyd.....	9	Railroad.....	6
Total.....	61	Total.....	22
RANDOLPH COUNTY.		STEUBEN COUNTY.	
Greensfork.....	19	Jamestown.....	6
Nettle Creek.....	8	Fremont.....	13
Jackson.....	19	Clear Lake.....	4
Total.....	46	Salem.....	20
		Steuben.....	5
		Otsego.....	14
		Total.....	62
RIPLEY COUNTY.		ST. JOSEPH COUNTY.	
Adams.....	18	Olive.....	17
Laughrey.....	27	Warren.....	9
Total.....	46	German.....	10
		Clay.....	2

Centre.....	28
Greene.....	7
Union.....	20
Liberty.....	11
Madison.....	39
 Total.....	 143

SULLIVAN COUNTY.

Cass.....	8
Jefferson.....	6
 Total.....	 14
 TIPPECANOE COUNTY.	
Wayne.....	4
Wabash.....	3
 Total	 7

TIPTON COUNTY.

Wild Cat.....	10
 UNION COUNTY.	
Union.....	9
Harmony.....	3
Liberty.....	28
Brownsville.....	25
Harrison.....	19
 Total	 84

WASHINGTON COUNTY.

Polk.....	4
Pierce.....	16
 Total.....	 20

WELLS COUNTY.

Jackson	18
Chester.....	19
Liberty.....	2
Rock Creek.....	6
Union.....	17
Nottingham.....	28
Harrison	19
 Total.....	 109

WHITLEY COUNTY.

Richland	6
Troy.....	9
Washington	38
Columbia.....	18
Jefferson.....	34
Union.....	5
Smith.....	9
Thorne Creek.....	34
 Total	 153

INSTRUCTIONS TO MARSHALS.

STATE OF INDIANA,
GENERAL COMMISSIONER'S OFFICE,
Indianapolis, October 9, 1862.

To the Marshal of —— County :

In the order in regard to collecting the \$200 of the conscientious, no time is fixed for collection. I do not now fix any time, leaving it to your reasonable discretion. While it is desirable to have the money as soon as convenient, it is not designed to oppress or distress any one. When a man is not able to pay the amount, or if the payment would strip him of his household goods, or necessary tools in his trade, or those things necessary for his support, the collection is not enjoined. The former order is modified to this extent. The word "exemption" should be omitted, so as to allow every person to hold the amount allowed by our exemption laws. If a person has not more property than is exempt by law, you will simply return his name as being unable to pay.

J. P. SIDDALL,
General Commissioner.

CONSCIENTIOUS EXEMPTS.

GENERAL COMMISSIONER'S OFFICE,
Indianapolis, October 10, 1862.

OLIVER P. MORTON,
Governor of Indiana:

Some complaints have been made to this office by the class known as the "Conscientious Exempts," as to the manner in which it was ascertained who are to pay the required equivalent. As I have been unable to see the justness of the complaint, they have appealed to you. To aid you in determining the points involved, I deem it proper to state the mode adopted, and the reasons for its adoption.

Our State Constitution exempts this class of persons from military service, but provides that they shall pay an equivalent. The provision is as follows: "No person conscientiously opposed to bearing arms, shall be compelled to do militia duty; but such person shall pay an equivalent for exemption." If error has been committed in the mode adopted, it consists in not requiring every person so exempt to pay the equivalent, instead of forty per cent. of that number. It is contended, by a number of good lawyers, that the spirit and language of the Constitution requires that all persons claiming the benefit of this provision, should pay the sum fixed by the Secretary of War by virtue of an Act of Congress. I thought, however, the mode adopted more equitable, and within the spirit of the Constitution. The Constitution declares that "The militia shall consist of all able-bodied white male persons, between the ages of eighteen and forty-five years, except such as may be exempted by the laws of the United States or of this State." The same Constitution exempts the conscientious, they, therefore, form no part of the State militia, and were not counted as such in fixing the quota of any township. Their names can not be placed in the box among those subject to draft,

because they are exempt by an express constitutional provision. Their exemption is not dependent on payment of the equivalent, but is complete prior to such payment, leaving the equivalent to be collected subsequently.

If the payment had been made a condition precedent to the exemption, then their names would have been placed in the ballot box with others subject to draft; and on being drawn they would have been released only on payment of the sum fixed. But, as they were already exempt, this could not be done, and it was only left to mark them all as exempt on our books and provide for the payment of an equivalent.

In the absence of the constitutional provision, their names would have been all placed in the ballot box and drawn the same as others. As they were exempt, they were deducted from the militia of each township.

If the able-bodied men of a township, between the ages of eighteen and forty-five, numbered twelve hundred, and four hundred of that number were conscientious exempts, the township was only charged with eight hundred militia, and its quota based on that number. If the whole twelve hundred were treated as militia, it would have to furnish four hundred and eighty soldiers, being forty per cent., but, as the four hundred conscientious exempts are deducted, the township only has to furnish three hundred and twenty men, being one hundred and sixty less than its proper proportion.

If the militia of the township, either by volunteers or draft, furnish the three hundred and twenty men, then the township has raised its quota and is released from further draft.

Is it to be claimed that this releases the township from making compensation for the remaining one hundred and sixty men? They are still due from it, and have not been furnished. They are conscientious exempts and can not be compelled to go; they are, therefore, required to pay an equivalent. It requires the three hundred and twenty drafted men or volunteers, and the payment of an equivalent by the one hundred and sixty conscientious exempts, to cover the whole proportion of the township, four hundred and eighty men.

It can not be claimed, therefore, that because a township has filled its quota of drafts or volunteers that it has performed its whole duty. The fighting men of the township have paid the charge against them and nothing more, leaving the equivalent for

the four hundred conscientious able-bodied exempts wholly unpaid. For this reason two quotas were assigned to the township, one requiring three hundred and twenty men, being forty per cent. of the militia to be furnished for the war, the other requiring one hundred and sixty men, being forty per cent. of the conscientious, to each pay an equivalent. The two united make four hundred and eighty men, or forty per cent. of the twelve hundred able-bodied men in the township. It is to be noticed that the three thousand one hundred and sixty-nine conscientious exempts are all able-bodied men between the ages of eighteen and forty-five years, and would constitute a part of the militia of the State, and be subject to be called into service, were it not that they are exempt on the ground of conscience. If any one of them is not able-bodied, he would be excused from the service on the ground of physical disability, and would be placed in that list of exemptions, and have no equivalent to pay.

The conscientious exemption list is composed exclusively of those exempted on that ground alone. By the deduction of the whole number of such exempts from the total enrollment, the burden to be borne by the militia of the State would be increased unless that deduction was met by an equivalent. The general ratio of the State would be necessarily enlarged. The number raised by draft will probably fall one thousand below what was anticipated, on account of allowing credits to townships for volunteers sent previous to the enrollment, but whose names were not obtained and entered by the Commissioners. This deficit can be properly supplied by paying the two hundred dollars equivalents of the conscientious exempts to an equal number of volunteers. There are probably one thousand of such drafted exempts able to pay the equivalent. Thus the able-bodied man, who is exempt from military duty on conscientious grounds, furnishes the means by which another is induced to go, and the militia of the State is relieved from an unequal burden. As the conscientious exempt can not volunteer, or induce others to volunteer—as he can not be drafted or aid any drafted man in procuring a substitute—as he can not contribute money to war purposes—as his conscience forbids him to render any active aid to any war—the Constitution requires some compensation for these exemptions. If the State is to be deprived of the active support of three thousand one hundred and sixty-nine able-bodied citizens in a great contest like this, some equivalent is required. The equivalent fixed by the War Depart-

ment is two hundred dollars. In determining who shall pay this sum, the whole number of soldiers required from this State, in proportion to the whole number of militia, was ascertained and found to be forty per cent. As the conscientious exempts have sent no volunteers to the war, they are not credited with any, and forty per cent. of them have been drafted and are required to pay two hundred dollars each. In case a township has furnished no volunteers, forty per cent. of the militia of that township is drafted. If volunteers have been furnished, the township is credited with them, and if the whole number has been provided there is no draft. If volunteers are furnished, they are of the militia, and are furnished by the militia. Conscientious exempts have not volunteered, neither can they furnish volunteers. They have nothing to do with furnishing the military quota of a township; they are to furnish the equivalent to be paid by that township. By claiming exemption, they voluntarily place themselves out of the militia, and assume the payment of an equivalent.

We have, then, two classes recognized by the Constitution—the militia and the conscientious exempts. Each class has its own special duties to perform; the first to perform or furnish military duty; the latter to pay the equivalent. If one class performs its duty, that does not exonerate the other class. If the exempts pay their equivalents that does not release the militia from the performance of its duty, which is to raise whatever soldiers may be required; or, if the militia meets the demands of the General Government, that does not excuse the payment of compensation by exempts. Or, if the militia voluntarily contribute money to aid the Government, that does not release it from its peculiar duty of furnishing the necessary number of soldiers; or, if a conscientious exempt should contribute any thing to the war, that could not release him from his voluntary obligation to pay the equivalent. If either class does more than is required, the excess, above legal duty, must be credited to patriotism, and not claimed as an exemption from constitutional obligation.

I have tried to do justice to the three thousand one hundred and sixty-nine conscientious, without infringing on the rights of the two hundred and seventy-three thousand citizens of Indiana who are on the militia roll, and who are either in the service or liable at any time to be called on to perform military duty.

It is said that some exempts have sons in the army, if this be so, it does not affect the argument. The son is not conseien-

tiously opposed to war, or he would not be in the army. He is a fighting man and belongs to the militia and is enrolled in it, and thus increases the number of its quota. His name is not on the conscientious list, and therefore he is not counted in assessing the quota of that class. He is simply discharging his own duty to the Government as one of the militia, and whether he has one relation or fifty relations, it makes no difference, their duties are not discharged by his enlistment. It has occurred that two, and even four persons, have been drafted out of one family, yet the remaining members of that family are not relieved from militia duty. The Government regards every man able to do duty, as personally liable to do that duty, and he is not released from his obligation, because some relative has been called upon to perform his own part.

There are about one thousand two hundred and fifty drafted conscientious men in the State, who are required to pay two hundred dollars each, if able to pay it, if not able they are released from service without payment. Probably one thousand of those drafted are able to pay the sum required. I am confident I could procure the names of a larger number of those subject to draft, who have each voluntarily contributed more than two hundred dollars to war purposes, yet they are still liable to the draft. If any one thinks two hundred dollars is more than an equivalent for exemption, let him ascertain the present price of substitutes, and he will be satisfied on that point. If the Government would permit all persons to be exempted on the payment of two hundred dollars each, thousands would avail themselves of the privilege.

Having thus explained the mode adopted, and the reasons therefor, I submit the whole matter for your consideration.

J. P. SIDDALL,
General Commissioner.

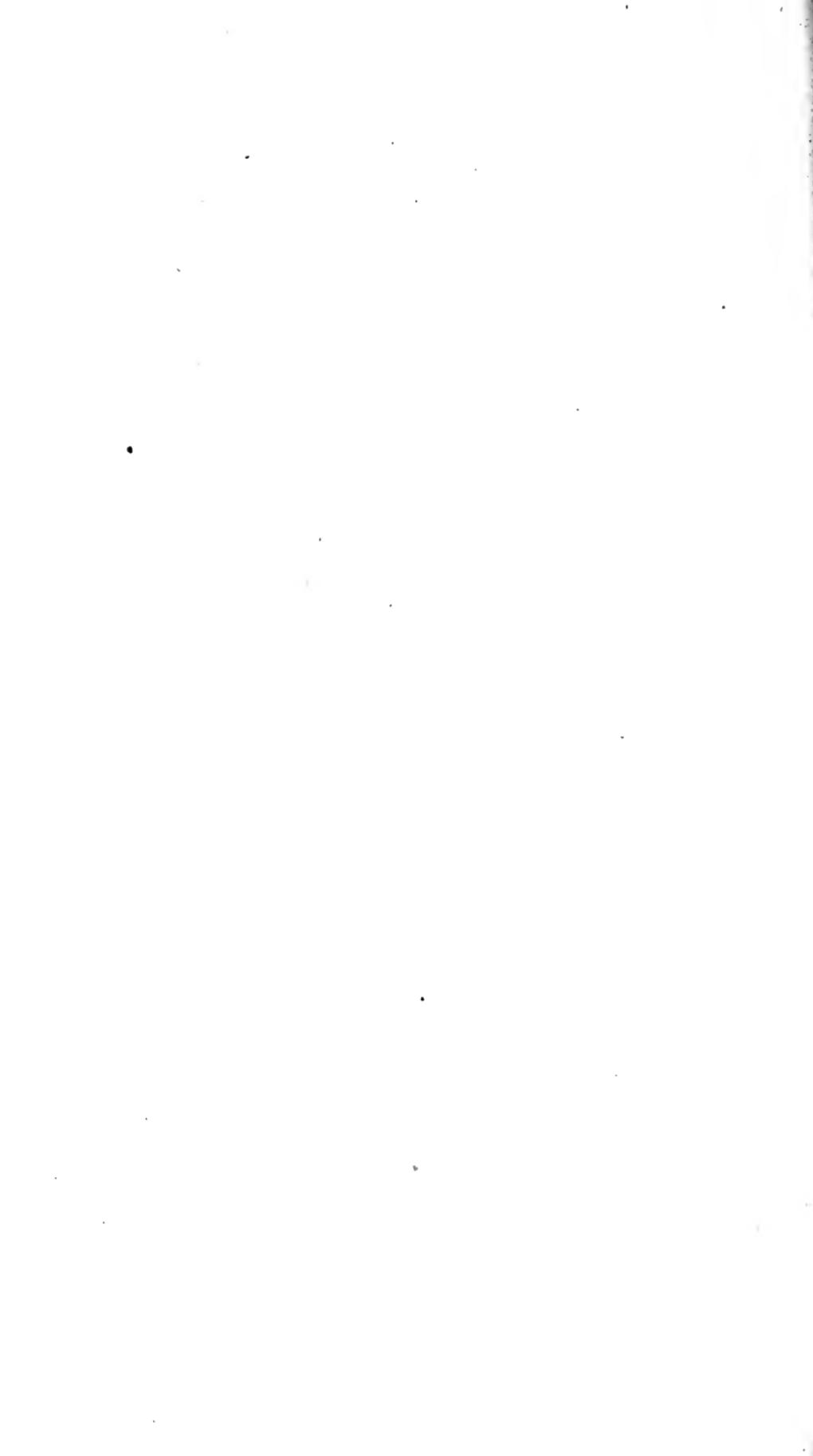
APPEAL TO THE GOVERNOR.

STATE OF INDIANA,
GENERAL COMMISSIONER'S OFFICE,
Indianapolis, October 29, 1862.

A portion of the class known as Conscientious Exempts having appealed from the action of the General Commissioner in relation to them to the Governor, all further action against them, by the Marshals of the several counties, will be suspended until the appeal is disposed of. As soon as decided, further instructions will be furnished.

By order of the GOVERNOR,

J. P. SIDDALL,
General Commissioner.

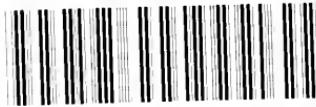








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